

Exhibit B



US007949494B2

(12) **United States Patent**
Moskowitz et al.

(10) **Patent No.:** US 7,949,494 B2
(45) **Date of Patent:** *May 24, 2011

(54) **METHOD AND DEVICE FOR MONITORING AND ANALYZING SIGNALS**(75) Inventors: **Scott A. Moskowitz**, Sunny Isles Beach, FL (US); **Mike W. Berry**, Seattle, WA (US)(73) Assignee: **Blue Spike, Inc.**, Sunny Isles Beach, FL (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **12/655,357**(22) Filed: **Dec. 22, 2009**(65) **Prior Publication Data**

US 2010/0106736 A1 Apr. 29, 2010

Related U.S. Application Data

(63) Continuation of application No. 12/005,229, filed on Dec. 26, 2007, now Pat. No. 7,660,700, which is a continuation of application No. 09/657,181, filed on Sep. 7, 2000, now Pat. No. 7,346,472.

(51) **Int. Cl.****G06F 19/00** (2006.01)(52) **U.S. Cl.** **702/182; 707/E17.001; 707/E17.002; 707/E17.005; 707/E17.006; 709/209; 705/51; 380/28**(58) **Field of Classification Search** **702/182; 707/E17.001, E17.002, E17.005, E17.006; 709/209; 705/51, 57; 380/28, 248; 370/480; 348/E7.063, 460; 375/E7.075, E7.089; 382/248; 382/162, 232, 100**

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,947,825 A	3/1976	Cassada
3,984,624 A	10/1976	Waggener
3,986,624 A	10/1976	Cates, Jr. et al.
4,038,596 A	7/1977	Lee
4,200,770 A	4/1980	Hellman et al.
4,218,582 A	8/1980	Hellman et al.
4,339,134 A	7/1982	Macheel
4,390,898 A	6/1983	Bond et al.
4,405,829 A	9/1983	Rivest et al.
4,424,414 A	1/1984	Hellman et al.
4,528,588 A	7/1985	Lofberg
4,672,605 A	6/1987	Hustig et al.
4,748,668 A	5/1988	Shamir et al.
4,789,928 A	12/1988	Fujisaki
4,827,508 A	5/1989	Shear
4,876,617 A	10/1989	Best et al.
4,896,275 A	1/1990	Jackson
4,908,873 A	3/1990	Philibert et al.
4,939,515 A	7/1990	Adelson
4,969,204 A	11/1990	Jones et al.
4,972,471 A	11/1990	Gross et al.
4,977,594 A	12/1990	Shear

4,979,210 A	12/1990	Nagata et al.
4,980,782 A	12/1990	Ginkel
5,050,213 A	9/1991	Shear
5,073,925 A	12/1991	Nagata et al.
5,077,665 A	12/1991	Silverman et al.
5,113,437 A	5/1992	Best et al.
5,136,581 A	8/1992	Muehrcke
5,136,646 A	8/1992	Haber et al.
5,136,647 A	8/1992	Haber et al.
5,142,576 A	8/1992	Nadan
5,161,210 A	11/1992	Druyvesteyn et al.
5,210,820 A	* 5/1993	Kenyon 704/200
5,243,423 A	9/1993	DeJean et al.
5,243,515 A	9/1993	Lee
5,287,407 A	2/1994	Holmes
5,319,735 A	6/1994	Preuss et al.
5,341,429 A	8/1994	Stringer et al.
5,341,477 A	8/1994	Pitkin et al.
5,363,448 A	11/1994	Koopman et al.
5,365,586 A	11/1994	Indeck et al.
5,369,707 A	11/1994	Follendore, III
5,379,345 A	1/1995	Greenberg
5,394,324 A	2/1995	Clearwater
5,398,285 A	3/1995	Borgelt et al.
5,406,627 A	4/1995	Thompson et al.
5,408,505 A	4/1995	Indeck et al.
5,410,598 A	4/1995	Shear
5,412,718 A	5/1995	Narasimhalv et al.
5,418,713 A	5/1995	Allen
5,428,606 A	6/1995	Moskowitz
5,450,490 A	9/1995	Jensen et al.
5,469,536 A	11/1995	Blank
5,471,533 A	11/1995	Wang et al.
5,478,990 A	12/1995	Montanari et al.
5,479,210 A	12/1995	Cawley et al.
5,487,168 A	1/1996	Geiner et al.
5,493,677 A	2/1996	Balogh et al.
5,497,419 A	3/1996	Hill

(Continued)

FOREIGN PATENT DOCUMENTS

EP 0372601 6/1990
(Continued)

OTHER PUBLICATIONS

Schneier, Bruce, Applied Cryptography, 2nd Ed., John Wiley & Sons, pp. 9-10, 1996.

(Continued)

Primary Examiner — Carol S Tsai

(74) Attorney, Agent, or Firm — Neifeld IP Law, PC

(57) **ABSTRACT**

A method and system for monitoring and analyzing at least one signal are disclosed. An abstract of at least one reference signal is generated and stored in a reference database. An abstract of a query signal to be analyzed is then generated so that the abstract of the query signal can be compared to the abstracts stored in the reference database for a match. The method and system may optionally be used to record information about the query signals, the number of matches recorded, and other useful information about the query signals. Moreover, the method by which abstracts are generated can be programmable based upon selectable criteria. The system can also be programmed with error control software so as to avoid the re-occurrence of a query signal that matches more than one signal stored in the reference database.

29 Claims, No Drawings

US 7,949,494 B2

Page 2

U.S. PATENT DOCUMENTS

5,506,795 A	4/1996	Yamakawa	5,943,422 A	8/1999	Van Wie et al.
5,513,126 A	4/1996	Harkins et al.	5,949,055 A	* 9/1999	Fleet et al. 235/469
5,513,261 A	4/1996	Maher	5,963,909 A	10/1999	Warren et al.
5,530,739 A	6/1996	Okada	5,973,731 A	10/1999	Schwab
5,530,751 A	6/1996	Morris	5,974,141 A	10/1999	Saito
5,530,759 A	6/1996	Braudaway et al.	5,991,426 A	11/1999	Cox et al.
5,539,735 A	7/1996	Moskowitz	5,999,217 A	12/1999	Berners-Lee
5,548,579 A	8/1996	Lebrun et al.	6,009,176 A	12/1999	Gennaro et al.
5,568,570 A	10/1996	Rabbani	6,029,126 A	2/2000	Malvar
5,579,124 A	11/1996	Aijale et al.	6,041,316 A	3/2000	Allen
5,581,703 A	12/1996	Baugher et al.	6,044,471 A	3/2000	Colvin
5,583,488 A	12/1996	Sala et al.	6,049,838 A	4/2000	Miller et al.
5,598,470 A	1/1997	Cooper et al.	6,051,029 A	4/2000	Paterson et al.
5,606,609 A	2/1997	Houser et al.	6,061,793 A	5/2000	Tewfik et al.
5,613,004 A	3/1997	Cooperman et al.	6,067,622 A	5/2000	Moore
5,617,119 A	4/1997	Briggs et al.	6,069,914 A	5/2000	Cox
5,625,690 A	4/1997	Michel et al.	6,078,664 A	6/2000	Moskowitz et al.
5,629,980 A	5/1997	Stefik et al.	6,081,251 A	6/2000	Sakai et al.
5,633,932 A	5/1997	Davis et al.	6,081,587 A	6/2000	Reyes et al.
5,634,040 A	5/1997	Her et al.	6,081,597 A	6/2000	Hoffstein et al.
5,636,276 A	6/1997	Brugger	6,088,455 A	* 7/2000	Logan et al. 380/200
5,636,292 A	6/1997	Rhoads	6,131,162 A	10/2000	Yoshiura et al.
5,640,569 A	6/1997	Miller et al.	6,141,753 A	10/2000	Zhao et al.
5,646,997 A	7/1997	Barton	6,141,754 A	10/2000	Choy
5,657,461 A	8/1997	Harkins et al.	6,148,333 A	11/2000	Guedalia
5,659,726 A	8/1997	Sandford, II et al.	6,154,571 A	11/2000	Cox et al.
5,664,018 A	9/1997	Leighton	6,192,138 B1	2/2001	Yamadaji
5,673,316 A	9/1997	Auerbach et al.	6,199,058 B1	3/2001	Wong et al.
5,677,952 A	10/1997	Blakley et al.	6,205,249 B1	3/2001	Moskowitz
5,680,462 A	10/1997	Miller et al.	6,208,745 B1	3/2001	Florencio et al.
5,687,236 A	11/1997	Moskowitz et al.	6,226,618 B1	5/2001	Downs
5,689,587 A	11/1997	Bender et al.	6,230,268 B1	5/2001	Miwa et al.
5,696,828 A	12/1997	Koopman, Jr.	6,233,347 B1	5/2001	Chen et al.
5,719,937 A	2/1998	Warren et al.	6,233,684 B1	5/2001	Stefik et al.
5,721,788 A	2/1998	Powell et al.	6,240,121 B1	5/2001	Senoh
5,734,752 A	3/1998	Knox	6,263,313 B1	7/2001	Milsted et al.
5,737,416 A	4/1998	Cooper et al.	6,272,634 B1	8/2001	Tewfik et al.
5,737,733 A	4/1998	Eller	6,275,988 B1	8/2001	Nagashima et al.
5,740,244 A	4/1998	Indeck et al.	6,278,780 B1	8/2001	Shimada
5,745,569 A	4/1998	Moskowitz et al.	6,278,791 B1	8/2001	Honsinger et al.
5,748,783 A	5/1998	Rhoads	6,282,300 B1	8/2001	Bloom et al.
5,751,811 A	5/1998	Magnotti et al.	6,282,650 B1	8/2001	Davis
5,754,697 A	5/1998	Fu et al.	6,285,775 B1	9/2001	Wu et al.
5,757,923 A	5/1998	Koopman, Jr.	6,301,663 B1	10/2001	Kato et al.
5,765,152 A	6/1998	Erickson	6,310,962 B1	10/2001	Chung et al.
5,768,396 A	6/1998	Sone	6,330,335 B1	12/2001	Rhoads
5,774,452 A	6/1998	Wolosewicz	6,330,672 B1	12/2001	Shur
5,790,677 A	8/1998	Fox et al.	6,345,100 B1	2/2002	Levine
5,799,083 A	8/1998	Brothers et al.	6,351,765 B1	2/2002	Pietropaolet al.
5,809,139 A	9/1998	Girod et al.	6,363,483 B1	3/2002	Keshav
5,809,160 A	9/1998	Powell et al.	6,373,892 B1	4/2002	Ichien et al.
5,818,818 A	10/1998	Soumiya	6,373,960 B1	4/2002	Conover et al.
5,822,432 A	10/1998	Moskowitz et al.	6,374,036 B1	4/2002	Ryan et al.
5,828,325 A	10/1998	Wolose Wicz et al.	6,377,625 B1	4/2002	Kim
5,832,119 A	11/1998	Rhoads	6,381,618 B1	4/2002	Jones et al.
5,842,213 A	11/1998	Odom	6,381,747 B1	4/2002	Wonfor et al.
5,848,155 A	12/1998	Cox	6,385,324 B1	5/2002	Koppen
5,850,481 A	12/1998	Rhoads	6,385,329 B1	* 5/2002	Sharma et al. 382/100
5,859,920 A	1/1999	Daly et al.	6,385,596 B1	5/2002	Wiser
5,860,099 A	1/1999	Milos et al.	6,389,538 B1	5/2002	Gruse et al.
5,862,260 A	1/1999	Rhoads	6,405,203 B1	6/2002	Collart
5,870,474 A	2/1999	Wasilewski et al.	6,415,041 B1	7/2002	Oami et al.
5,884,033 A	3/1999	Duvall et al.	6,418,421 B1	7/2002	Hurtado
5,889,868 A	3/1999	Moskowitz et al.	6,425,081 B1	7/2002	Iwamura
5,893,067 A	4/1999	Bender et al.	6,430,301 B1	8/2002	Petrovic
5,894,521 A	4/1999	Conley	6,430,302 B2	8/2002	Rhoads
5,903,721 A	5/1999	Sixtus	6,442,283 B1	8/2002	Tewfik et al.
5,905,800 A	5/1999	Moskowitz et al.	6,446,211 B1	9/2002	Colvin
5,905,975 A	5/1999	Ausubel	6,453,252 B1	9/2002	Laroche
5,912,972 A	6/1999	Barton	6,457,058 B1	9/2002	Ullum et al.
5,915,027 A	6/1999	Cox et al.	6,463,468 B1	10/2002	Buch et al.
5,917,915 A	6/1999	Hirose	6,484,264 B1	11/2002	Colvin
5,918,223 A	6/1999	Blum	6,493,457 B1	12/2002	Quackenbush
5,920,900 A	7/1999	Poole et al.	6,502,195 B1	12/2002	Colvin
5,923,763 A	7/1999	Walker et al.	6,522,767 B1	2/2003	Moskowitz et al.
5,930,369 A	7/1999	Cox et al.	6,522,769 B1	2/2003	Rhoads et al.
5,930,377 A	7/1999	Powell et al.	6,523,113 B1	2/2003	Wehrenberg
5,940,134 A	8/1999	Wirtz	6,668,325 B1	2/2003	Collberg et al.
			6,530,021 B1	3/2003	Epsstein et al.

US 7,949,494 B2

Page 3

6,532,284	B2	3/2003	Walker et al.	7,647,502	B2	1/2010	Moskowitz		
6,539,475	B1	3/2003	Cox et al.	7,647,503	B2	1/2010	Moskowitz		
6,557,103	B1	4/2003	Boncelet, Jr. et al.	7,664,263	B2	2/2010	Moskowitz		
6,584,125	B1	6/2003	Katto	7,743,001	B1	6/2010	Vermeulen		
6,587,837	B1	7/2003	Spagna et al.	7,761,712	B2	6/2010	Moskowitz		
6,590,996	B1 *	7/2003	Reed et al.	382/100		7,779,261	B2	8/2010	Moskowitz
6,598,162	B1	7/2003	Moskowitz	2001/0010078	A1	7/2001	Moskowitz		
6,606,393	B1	8/2003	Xie et al.	2001/0029580	A1	10/2001	Moskowitz		
6,647,424	B1	11/2003	Pearson et al.	2001/0043594	A1 *	11/2001	Ogawa et al.	370/356	
6,658,010	B1	12/2003	Enns et al.	2002/0009208	A1 *	1/2002	Alattar et al.	382/100	
6,665,489	B2	12/2003	Collart	2002/0010684	A1	1/2002	Moskowitz		
6,668,246	B1	12/2003	Yeung et al.	2002/0026343	A1	2/2002	Duenke		
6,674,858	B1	1/2004	Kimura	2002/0056041	A1	5/2002	Moskowitz		
6,687,683	B1	2/2004	Harada et al.	2002/0047873	A1	6/2002	Petrovic		
6,725,372	B1	4/2004	Lewis et al.	2002/0071556	A1	6/2002	Moskowitz et al.		
6,754,822	B1	6/2004	Zhao	2002/0073043	A1	6/2002	Herman et al.		
6,775,772	B1	8/2004	Binding et al.	2002/0097873	A1	7/2002	Petrovic		
6,784,354	B1	8/2004	Lu et al.	2002/0103883	A1	8/2002	Haverstock et al.		
6,785,815	B1	8/2004	Serret-Avila et al.	2002/0161741	A1	10/2002	Wang et al.		
6,785,825	B2	8/2004	Colvin	2003/0126445	A1	7/2003	Wehrenberg		
6,792,548	B2	9/2004	Colvin	2003/0133702	A1	7/2003	Collart		
6,792,549	B2	9/2004	Colvin	2003/0200439	A1	10/2003	Moskowitz		
6,795,925	B2	9/2004	Colvin	2003/0219143	A1	11/2003	Moskowitz et al.		
6,799,277	B2	9/2004	Colvin	2004/0028222	A1	2/2004	Sewell et al.		
6,813,717	B2	11/2004	Colvin	2004/0037449	A1	2/2004	Davis et al.		
6,813,718	B2	11/2004	Colvin	2004/0049695	A1	3/2004	Choi et al.		
6,823,455	B1	11/2004	Macy et al.	2004/0059918	A1	3/2004	Xu		
6,834,308	B1	12/2004	Ikezoye et al.	2004/0083369	A1	4/2004	Erlingsson et al.		
6,842,862	B2	1/2005	Chow et al.	2004/0086119	A1	5/2004	Moskowitz		
6,853,726	B1	2/2005	Moskowitz et al.	2004/0093521	A1	5/2004	Hamadeh et al.		
6,857,078	B2	2/2005	Colvin	2004/0117628	A1	6/2004	Colvin		
6,931,534	B1	8/2005	Jandel et al.	2004/0117664	A1	6/2004	Colvin		
6,957,330	B1	10/2005	Hughes	2004/0125983	A1	7/2004	Reed et al.		
6,966,002	B1	11/2005	Torrubia-Saez	2004/0128514	A1	7/2004	Rhoads		
6,983,337	B2	11/2005	Wold	2004/0225894	A1	11/2004	Colvin		
6,977,894	B1	12/2005	Achilles et al.	2004/0243540	A1	12/2004	Moskowitz et al.		
6,978,370	B1	12/2005	Kocher	2005/0135615	A1	6/2005	Moskowitz et al.		
6,986,063	B2	1/2006	Colvin	2005/0160271	A9	7/2005	Brundage et al.		
6,990,453	B2	1/2006	Wang	2005/0177727	A1	8/2005	Moskowitz et al.		
7,007,166	B1	2/2006	Moskowitz et al.	2005/0246554	A1	11/2005	Batson		
7,020,285	B1	3/2006	Kirovski et al.	2006/0005029	A1	1/2006	Petrovic et al.		
7,035,049	B2	4/2006	Yamamoto	2006/0013395	A1	1/2006	Brundage et al.		
7,035,409	B1	4/2006	Moskowitz	2006/0013451	A1	1/2006	Haitsma		
7,043,050	B2	5/2006	Yuval	2006/0041753	A1	2/2006	Haitsma		
7,046,808	B1	5/2006	Metois et al.	2006/0101269	A1	5/2006	Moskowitz et al.		
7,050,396	B1	5/2006	Cohen et al.	2006/0140403	A1	6/2006	Moskowitz		
7,051,208	B2	5/2006	Venkatesan et al.	2006/0251291	A1	11/2006	Rhoads		
7,058,570	B1	6/2006	Yu et al.	2006/0285722	A1	12/2006	Moskowitz et al.		
7,093,295	B1	8/2006	Saito	2007/0011458	A1	1/2007	Moskowitz		
7,095,874	B2	8/2006	Moskowitz et al.	2007/0028113	A1	2/2007	Moskowitz		
7,103,184	B2	9/2006	Jian	2007/0064940	A1	3/2007	Moskowitz et al.		
7,107,451	B2	9/2006	Moskowitz	2007/0079131	A1	4/2007	Moskowitz et al.		
7,123,718	B1	10/2006	Moskowitz et al.	2007/0083467	A1	4/2007	Lindahl et al.		
7,127,615	B2	10/2006	Moskowitz	2007/0110240	A1	5/2007	Moskowitz et al.		
7,150,003	B2	12/2006	Naumovich et al.	2007/0113094	A1	5/2007	Moskowitz et al.		
7,152,162	B2	12/2006	Moskowitz et al.	2007/0127717	A1	6/2007	Herre et al.		
7,159,116	B2	1/2007	Moskowitz	2007/0226506	A1	9/2007	Moskowitz		
7,162,642	B2	1/2007	Schumann et al.	2007/0253594	A1	11/2007	Lu et al.		
7,177,429	B2	2/2007	Moskowitz et al.	2007/0294536	A1	12/2007	Moskowitz et al.		
7,177,430	B2	2/2007	Kim	2007/0300072	A1	12/2007	Moskowitz		
7,206,649	B2	4/2007	Kirovski et al.	2007/0300073	A1	12/2007	Moskowitz		
7,231,524	B2	6/2007	Burns	2008/0005571	A1	1/2008	Moskowitz		
7,233,669	B2	6/2007	Candelier	2008/0005572	A1	1/2008	Moskowitz		
7,240,210	B2	7/2007	Michak et al.	2008/0016365	A1	1/2008	Moskowitz		
7,266,697	B2	9/2007	Kirovski et al.	2008/0022113	A1	1/2008	Moskowitz		
7,286,451	B2	10/2007	Wirtz et al.	2008/0022114	A1	1/2008	Moskowitz		
7,287,275	B2	10/2007	Moskowitz	2008/0028222	A1	1/2008	Moskowitz		
7,289,643	B2	10/2007	Brunk et al.	2008/0046742	A1	2/2008	Moskowitz		
7,343,492	B2	3/2008	Moskowitz et al.	2008/0075277	A1	3/2008	Moskowitz et al.		
7,346,472	B1	3/2008	Moskowitz et al.	2008/0109417	A1	5/2008	Moskowitz		
7,362,775	B1	4/2008	Moskowitz	2008/0133927	A1	6/2008	Moskowitz et al.		
7,363,278	B2	4/2008	Schmelzer et al.	2008/0151934	A1	6/2008	Moskowitz et al.		
7,409,073	B2	8/2008	Moskowitz et al.	2009/0037740	A1	2/2009	Moskowitz		
7,457,962	B2	11/2008	Moskowitz	2009/0089427	A1	4/2009	Moskowitz et al.		
7,460,994	B2	12/2008	Herre et al.	2009/0190754	A1	7/2009	Moskowitz et al.		
7,475,246	B1	1/2009	Moskowitz	2009/0210711	A1	8/2009	Moskowitz		
7,530,102	B2	5/2009	Moskowitz	2009/0220074	A1	9/2009	Moskowitz et al.		
7,532,725	B2	5/2009	Moskowitz et al.	2010/0002904	A1	1/2010	Moskowitz		
7,568,100	B1	7/2009	Moskowitz et al.	2010/0005308	A1	1/2010	Moskowitz		

US 7,949,494 B2

Page 4

2010/0064140 A1	3/2010	Moskowitz
2010/0077219 A1	3/2010	Moskowitz
2010/0077220 A1	3/2010	Moskowitz
2010/0098251 A1	4/2010	Moskowitz
2010/0106736 A1	4/2010	Moskowitz
2010/0153734 A1	6/2010	Moskowitz
2010/0182570 A1	7/2010	Chota
2010/0202607 A1	8/2010	Moskowitz
2010/0220861 A1	9/2010	Moskowitz

FOREIGN PATENT DOCUMENTS

EP	0372601 A1	6/1990
EP	0565947	10/1993
EP	0565947 A1	10/1993
EP	0581317	2/1994
EP	0581317 A2	2/1994
EP	0649261	4/1995
EP	0651554	5/1995
EP	0651554 A	5/1995
EP	0872073	7/1996
EP	1547337	3/2006
EP	1354276	12/2007
EP	1354276 B1	12/2007
NL	100523	9/1998
NL	1005523	9/1998
WO	WO 95/14289	5/1995
WO	WO 9514289	5/1995
WO	WO9701892	6/1995
WO	WO 96/29795	9/1996
WO	WO 9629795	9/1996
WO	WO 9642151	12/1996
WO	WO9726733	1/1997
WO	WO 97/24833	7/1997
WO	WO 9724833	7/1997
WO	WO9726732	7/1997
WO	WO 9744736	11/1997
WO	WO9802864	1/1998
WO	WO98/37513	8/1998
WO	WO9837513	8/1998
WO	WO 9952271	10/1999
WO	WO 99/62044	12/1999
WO	WO 9962044	12/1999
WO	WO 9963443	12/1999
WO	WO 0057643	9/2000
WO	WO0118628	3/2001
WO	WO0143026	6/2001
WO	WO0203385	1/2002
WO	WO02003385 A1	10/2002

OTHER PUBLICATIONS

Menezes, Alfred J., Handbook of Applied Cryptography, CRC Press, p. 46, 1997.

Brealy, et al., Principles of Corporate Finance, "Appendix A—Using Option Valuation Models", 1984, pp. 448-449.

Copeland, et al., Real Options:A Practitioner's Guide, 2001 pp. 106-107, 201-202, 204-208.

Sarkar, M. "An Assessment of Pricing Mechanisms for the Internet-A Regulatory Imperative", presented MIT Workshop on Internet Economics, Mar. 1995 <http://www.press.vmiich.edu/ien/works/SarkAsses.html> on.

Crawford, D.W. "Pricing Network Usage:A Market for Bandwidth of Market Communication?" presented MIT Workshop on Internet Economics, Mar. 1995 <http://www.press.vmiich.edu/ien/works/CrawMarket.html> on March.

Low, S.H., "Equilibrium Allocation and Pricing of Variable Resources Among User-Suppliers", 1988. <http://www.citesear.nj.nec.com/366503.html>.

Caronni, Germano, "Assuring Ownership Rights for Digital Images", published proceedings of reliable IT systems, v15 '95, H.H. Bruggemann and W Gerhardt-Hackel (Ed.) Viewing Publishing Company Germany 1995.

Zhao, Jian. "A WWW Service to Embed and Prove Digital Copyright Watermarks", Proc. of the european conf. on Multimedia Applications, Services & Techniques Louvain-La-Neuve Belgium May 1996.

Gruhl,Daniel et al.,Echo Hiding. In Proceeding of the Workshop on Information Hiding, No. 1174 in Lecture Notes in Computer Science, Cambridge, England (May/Jun. 1996).

Oomen,A.W.J. et al., A Variable Bit Rate Buried Data Channel for Compact Disc, J.Audio Eng.Sc.,vol. 43,No. 1/2,pp. 23-28 (1995).

Ten Kate,W: et al., A New Surround-Stereo—Surround Coding Techniques, J. Audio Eng.Soc.,vol. 40,No. 5,pp. 376-383 (1992).

Gerzon, Michael et al., A High Rate Buried Data Channel for Audio CD, presentation notes, Audio Engineering Soc. 94th Convention (1993).

Sklar,Bernard, Digital Communications, pp. 601-603 (1988).

Jayant, N.S. et al., Digital Coding of Waveforms, Prentice Hall Inc., Englewood Cliffs,NJ, pp. 486-509 (1984).

Bender, Walter R. et al., Techniques for Data Hiding, SPIE Int. Soc. Opt. Eng., vol. 2420, pp. 164-173, 1995.

Zhao, Jian et al., Embedding Robust Labels into Images for Copyright Protection, (xp 000571976), pp. 242-251, 1995.

Menezes, Alfred J., Handbook of Applied Cryptography, CRC Press, p. 175, 1997.

Schneier, Bruce, Applied Cryptography, 1st Ed., pp. 67-68, 1994.

ten Kate, W. et al., "Digital Audio Carrying Extra Information", IEEE, CH 2847-2/90/000-1097, (1990).

van Schyndel, et al. A digital Watermark, IEEE Int'l Computer Processing Conference, Austin,TX, Nov. 13-16, 1994, pp. 86-90.

Smith, et al. Modulation and Information Hiding in Images, Springer Verlag, 1st Int'l Workshop, Cambridge, UK, May 30-Jun. 1, 1996, pp. 207-227.

Puate, Joan et al., Using Fractal Compression Scheme to Embed a Digital Signature into an Image, SPIE-96 Proceedings, vol. 2915, Mar. 1997, pp. 108-118.

Swanson, Mitchell D.,et al., Transparent Robust Image Watermarking, Proc. of the 1996 IEEE Int'l Conf. on Image Processing, vol. 111, 1996, pp. 211-214.

Swanson, Mitchell D. et al. Robust Data Hiding for Images, 7th IEEE Digital Signal Processing Workshop, Leon, Norway. Sep. 1-4, 1996, pp. 37-40.

Zhao, Jian et al., Embedding Robust Labels into Images for Copyright Protection, Proceeding of the Know Right '95 Conference, pp. 242-251.

Koch, E., et al., Towards Robust and Hidden Image Copyright Labeling, 1995 IEEE Workshop on Nonlinear Signal and Image Processing, Jun. 1995 Neos Marmaras p. 4.

Van Schyndel, et al. Towards a Robust Digital Watermark, Second Asain Image Processing Conference, Dec. 6-8, 1995,Singapore, vol. 2,pp. 504-508.

Tirkel,A.Z.. A Two-Dimensional Digital Watermark, DICTA '95, Univ. of Queensland, Brisbane, Dec. 5-8, 1995, pp. 7.

Tirkel,A.Z., Image Watermarking—A Spread Spectrum Application, ISSSTA '96, Sep. 1996, Mainz, German, pp. 6.

O'Ruanaidh, et al. Watermarking Digital Images for Copyright Protection, IEEE Proceedings, vol. 143, No. 4, Aug. 1996, pp. 250-256.

Cox, et al., Secure Spread Spectrum Watermarking for Multimedia, NEC Research Institute, Techinal Report 95-10, p. 33.

Kahn, D., The Code Breakers, The MacMillan Company, 1969, pp. xiii, 81-83,513,515,522-526,873.

Boney, et al., Digital Watermarks for Audio Signals, EVSIPCO, 96, pp. 473-480.

Dept. of Electrical Engineering, Del Ft University of Technology, Del ft The Netherlands,Cr.C. Langelaar et al.,Copy Protection for Mulitmedia Data based on Labeling Techniques Jul. 1996 9 pp.

Craver, et al., Can Invisible Watermarks Resolve Rightful Ownerships? IBM Research Report, RC 20509 (Jul. 25, 1996) 21 pp.

Press, et al., Numerical Recipes in C, Cambridge Univ. Press, 1988, pp. 398-417.

Pohlmann, Ken C., Principles of Digital Audio, 3rd Ed., 1995, pp. 32-37, 40-48,138,147-149,332,333,364, 499-501,508-509,564-571.

Pohlmann, Ken C., Principles of Digital Audio, 2nd Ed., 1991, pp. 1-9,19-25,30-33,41-48,54-57,86-107,375-387.

Schneier, Bruce, Applied Cryptography, John Wiley & Sons, inc., New York, 1994, pp. 68,69,387-392,1-57,273-275,321-324.

Boney, et al., Digital Watermarks for Audio Signals, Proceedings of the International Conf. on Multimedia Computing and Systems, Jun. 17-23, 1996, Hiroshima, Japan, 0-8186-7436-9196, pp. 473-480.

US 7,949,494 B2

Page 5

- Johnson, et al., Transform Permuted Watermarking for Copyright Protection of Digital Video, IEEE Globecom 1998, Nov. 8-12, 1998, New York, New York, vol. 2, 1998, pp. 684-689, (ISBN 0-7803-4985-7).
- Rivest, et al., "Pay Word and Micromint: Two Simple Micropayment Schemes," MIT Laboratory for Computer Science, Cambridge, MA, May 7, 1996, pp. 1-18.
- Bender, et al., Techniques for Data Hiding, IBM Systems Journal, vol. 35, Nos. 3 & 4, 1996, pp. 313-336.
- Moskowitz, Bandwidth as Currency, IEEE Multimedia, Jan.-Mar. 2003, pp. 14-21.
- Moskowitz, Multimedia Security Technologies for Digital Rights Management, 2006, Academic Press, "Introduction-Digital Rights Management" pp. 3-22.
- Moskowitz, "What is Acceptable Quality in the Application of Digital Watermarking: Trade-offs of Security, Robustness and Quality", IEEE Computer Society Proceedings of ITCC 2002 Apr. 10, 2002 pp. 80-84.
- Lemma, et al. "Secure Watermark Embedding through Partial Encryption", International Workshop on Digital Watermarking ("IWDW" 2006), Springer Lecture Notes in Computer Science, 2006, (to appear) 13.
- Kocher, et al., "Self Protecting Digital Content", Technical Report from the CRI Content Security Research Initiative, Cryptography Research, Inc. 2002-2003, 14 pages.
- Sirbu, M. et al., "Net Bill: An Internet Commerce System Optimized for Network Delivered Services", Digest of Papers of the Computer Society Computer Conference (Spring), Mar. 5, 1995, pp. 20-25, vol. CONF40.
- Schunter, M. et al., "A Status Report on the SEMPER framework for Secure Electronic Commerce", Computer Networks and ISDN Systems, Sep. 30, 1998, pp. 1501-1510, vol. 30, No. 16-18, NI, North Holland.
- Konrad, K. et al., "Trust and Electronic Commerce-more than a technical problem," Proceedings of the 18th IEEE Symposium on Reliable Distributed Systems Oct. 19-22, 1999 pp. 360-365 Lausanne.
- Kini, A. et al., "Trust in Electronic Commerce: Definition and Theoretical Considerations", Proceedings of the 31st Hawaii Int'l Conf on System Sciences (Cat. No. 98TB100216), Jan. 6-9, 1998, pp. 51-61, Los.
- Steinauer D. D., et al., "Trust and Traceability in Electronic Commerce", Standard View, Sep. 1997, pp. 118-124, vol. 5 No. 3, ACM, USA.
- Hartung, et al. "Multimedia Watermarking Techniques", Proceedings of the IEEE, Special Issue, Identification & Protection of Multimedia Information, pp. 1079-1107 Jul. 1999 vol. 87 No. 7 IEEE.
- Rivest, et al., PayWord and MicroMint: Two simple micropayment schemes, MIT Laboratory for Computer Science, Cambridge, MA 02139, Apr. 27, 2001, pp. 1-18.
- Horowitz, et al., The Art of Electronics, 2nd Ed., 1989, pp. 7.
- Delaigle, J.-F., et al. "Digital Watermarking," Proceedings of the SPIE, vol. 2659, Feb 1, 1996, pp. 99-110 (Abstract).
- Schneider, M., et al. "Robust Content Based Digital Signature for Image Authentication," Proceedings of the International Conference on Image Processing (IC. Lausanne), Sep. 16-19, 1996, pp. 227-230, IEEE ISBN.
- Cox, I. J., et al. "Secure Spread Spectrum Watermarking for Multimedia," IEEE Transactions on Image Processing, vol. 6 No. 12, Dec. 1, 1997, pp. 1673-1686.
- Wong, Ping Wah. "A Public Key Watermark for Image Verification and Authentication," IEEE International Conference on Image Processing, vol. 1, Oct. 4-7, 1998, pp. 455-459.
- Fabien A.P. Petitcolas, Ross J. Anderson and Markus G. Kuhn, "Attacks on Copyright Marking Systems," LNCS, vol. 1525, Apr. 14-17, 1998, pp. 218-238, ISBN: 3-540-65386-4.
- Ross Anderson, "Stretching the Limits of Steganography," LNCS, vol. 1174, May/Jun. 1996, 10 pages, ISBN: 3-540-61996-8.
- Joseph J.K. O'Ruanaidh and Thierry Pun, "Rotation, Scale and Translation Invariant Digital Image Watermarking", pre-publication, Summer 1997 4 pages.
- Joseph J.K. O'Ruanaidh and Thierry Pun, "Rotation, Scale and Translation Invariant Digital Image Watermarking", Submitted to Signal Processing Aug. 21, 1997 19 pages.
- Rivest, R. "Chaffing and Winnowing: Confidentiality without Encryption", MIT Lab for Computer Science, <http://people.csail.mit.edu/rivest/Chaffing.txt>, Apr. 24, 1998, 9 pp.
- PortalPlayer, PP502 digital media management system-on-chip, May 1, 2003, 4 pp.
- VeriDisc, "The search for a Rational Solution to Digital Rights Management (DRM)", http://64.244.235.240/news/whitepaper/docs/veridisc_white_paper.pdf, 2001, 15 pp.
- Cayre, et al., "Kerckhoff's-Based Embedding Security Classes for WOA Data Hiding", IEEE Transactions on Information Forensics and Security, vol. 3 No. 1, Mar. 2008, 15 pp.
- Wayback Machine, dated Jan. 17, 1999, <http://vweb.archive.org/web/19990117020420/http://www.netzero.com/>, accessed on Feb. 19, 2008.
- Namgoong, H., "An Integrated Approach to Legacy Data for Multimedia Applications", Proceedings of the 23rd EUROMICRO Conference, vol., Issue 1-4, Sep. 1997, pp. 387-391.
- Wayback Machine, dated Aug. 26, 2007, <http://web.archive.org/web/20070826151732/http://www.screenplaysmag.com/tabid/96/articleType/ArticleView/articleId/495/Default.aspx>.
- "YouTube Copyright Policy: Video Identification tool—YouTube Help", accessed Jun. 4, 2009, <http://www.google.com/support/youtube/bin/answer.py?hl=en&answer=83766>, 3 pp.
- PCT International Search Report, completed Sep. 13, 1995; authorized officer Huy D. Vu (PCT/US95/08159) (2 pages).
- PCT International Search Report, completed Jun. 11, 1996; authorized officer Salvatore Cangialosi (PCT/US96/10257) (4 pages).
- Supplementary European Search Report, completed Mar. 5, 2004; authorized officer J. Hazel (EP 96 91 9405) (1 page).
- PCT International Search Report, completed Apr. 4, 1997; authorized officer Bernarr Earl Gregory (PCT/US97/00651) (1 page).
- PCT International Search Report, completed May 6, 1997; authorized officer Salvatore Cangialosi (PCT/US97/00652) (3 pages).
- PCT International Search Report, completed Oct. 23, 1997; authorized officer David Cain (PCT/US97/11455) (1 page).
- PCT International Search Report, completed Jul. 12, 1999; authorized officer R. Hubau (PCT/US99/07262) (3 pages).
- PCT International Search Report, completed Jun. 30, 2000; authorized officer Paul E. Callahan (PCT/US00/06522) (7 pages).
- Supplementary European Search Report, completed Jun. 27, 2002; authorized officer M. Schoeyer (EP 00 91 9398) (1 page).
- PCT International Search Report, date of mailing Mar. 15, 2001; authorized officer Marja Brouwers (PCT/US00/18411) (5 pages).
- PCT International Search Report, completed Jul. 20, 2001; authorized officer A. Sigolo (PCT/US00/18411) (5 pages).
- PCT International Search Report, completed Mar. 20, 2001; authorized officer P. Corcoran (PCT/US00/33126) (6 pages).
- PCT International Search Report, completed Jan. 26, 2001; authorized officer G. Barron (PCT/US00/21189) (3 pages).
- European Search Report, completed Oct. 15, 2007; authorized officer James Hazel (EP 07 11 2420) (9 pages).
- STAIND (The Singles 1996-2006), Warner Music—Atlantic, Pre-Release CD image, 2006, 1 page.
- Arctic Monkeys (Whatever People Say I Am, That's What I'm Not), Domino Recording Co. Ltd., Pre-Release CD image, 2005, 1 page.
- Radiohead ("Hail To The Thief"), EMT Music Group—Capitol, Pre-Release CD image, 2003, 1 page.
- OASIS (Dig Out Your Soul), Big Brother Recordings Ltd., Promotion CD image, 2009, 1 page.
- U.S. Appl. No. 08/999,766, filed Jul. 23, 1997, entitled "Steganographic Method and Device", published as 7568100 Jul. 28, 2009.
- EPO Application No. 96919405.9, entitled "Steganographic Method and Device"; published as EP0872073 (A2), Oct. 21, 1998.
- U.S. Appl. No. 11/050,779, filed Feb. 7, 2005, entitled "Steganographic Method and Device", published as 20050177727 A1 Aug. 11, 2005.
- U.S. Appl. No. 08/674,726, filed Jul. 2, 1996, entitled "Exchange Mechanisms for Digital Information Packages with Bandwidth

US 7,949,494 B2

Page 6

- Securitization, Multichannel Digital Watermarks, and Key Management”, published as 7362775 Apr. 22, 2008.
- U.S. Appl. No. 09/545,589, filed Apr. 7, 2000, entitled “Method and System for Digital Watermarking”, published as 7007166 Feb. 28, 2006.
- U.S. Appl. No. 11/244,213, filed Oct. 5, 2005, entitled “Method and System for Digital Watermarking”, published as 2006-0101269 A1 May 11, 2006, cited herein as P36.
- U.S. Appl. No. 11/649,026, filed Jan. 3, 2007, entitled “Method and System for Digital Watermarking”, published as 2007-0113094 A1 May 17, 2007.
- U.S. Appl. No. 09/046,627, filed Mar. 24, 1998, entitled “Method for Combining Transfer Function with Predetermined Key Creation”, published as 6,598,162 Jul. 22, 2003.
- U.S. Appl. No. 10/602,777, filed Jun. 25, 2003, entitled “Method for Combining Transfer Function with Predetermined Key Creation”, published as 2004-0086119 A1 May 6, 2004.
- U.S. Appl. No. 09/053,628, filed Apr. 2, 1998, entitled “Multiple Transform Utilization and Application for Secure Digital Watermarking”, 6,205,249 Mar. 20, 2001.
- U.S. Appl. No. 09/644,098, filed Aug. 23, 2000, entitled “Multiple Transform Utilization and Application for Secure Digital Watermarking”, published as 7,035,409 Apr. 25, 2006.
- Jap. App. No. 2000-542907, entitled “Multiple Transform Utilization and Application for Secure Digital Watermarking”; which is a JP national stage of PCT/US1999/007262, published as WO/1999/052271, Oct. 14, 1999.
- U.S. Appl. No. 09/767,733, filed Jan. 24, 2001 entitled “Multiple Transform Utilization and Application for Secure Digital Watermarking”, published as 2001-0010078 A1 Jul. 26, 2001.
- U.S. Appl. No. 11/358,874, filed Feb. 21, 2006, entitled “Multiple Transform Utilization and Application for Secure Digital Watermarking”, published as 2006-0140403 A1 Jun. 29, 2006.
- U.S. Appl. No. 10/417,231, filed Apr. 17, 2003, entitled “Methods, Systems And Devices For Packet Watermarking And Efficient Provisioning Of Bandwidth”, published as 2003-0200439 A1 Oct. 23, 2003.
- U.S. Appl. No. 09/789,711, filed Feb. 22, 2001, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digital Data”, published as 2001-0029580 A1 Oct. 11, 2001.
- U.S. Appl. No. 11/497,822, filed Aug. 2, 2006, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digital Data”, published as 2007-0011458 A1 Jan. 11, 2007.
- U.S. Appl. No. 11/599,964, filed Nov. 15, 2006, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digital Data”, published as 2008-0046742 A1 Feb. 21, 2008.
- U.S. Appl. No. 11/599,838, filed Nov. 15, 2006, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digital Data”, published as 2007-0226506 A1 Sep. 27, 2007.
- U.S. Appl. No. 10/369,344, filed Feb. 18, 2003, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digitized Data”, published as 2003-0219143 A1 Nov. 27, 2003.
- U.S. Appl. No. 11/482,654, filed Jul. 7, 2006, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digitized Data”, published as 2006-0285722 A1 Dec. 21, 2006.
- U.S. Appl. No. 09/594,719, filed Jun. 16, 2000, entitled “Utilizing Data Reduction in Steganographic and Cryptographic Systems”, published as 7,123,718 Oct. 17, 2006.
- U.S. Appl. No. 11/519,467, filed Sep. 12, 2006, entitled “Utilizing Data Reduction in Steganographic and Cryptographic Systems”, published as 2007-0064940 A1 Mar. 22, 2007.
- U.S. Appl. No. 09/731,040, filed Dec. 7, 2000, entitled “Systems, Methods And Devices For Trusted Transactions”, 2002-0010684 A1 Jan. 24, 2002.
- U.S. Appl. No. 11/512,701, filed Aug. 29, 2006, entitled “Systems, Methods and Devices for Trusted Transactions”, published as 2007-0028113 A1 Feb. 1, 2007.
- U.S. Appl. No. 10/049,101, filed Feb. 8, 2002, entitled “A Secure Personal Content Server”, published as 7,475,246 Jan. 6, 2009.
- PCT Application No. PCT/US00/21189, filed Aug. 4, 2000, entitled, “A Secure Personal Content Server”, Pub. No. WO/2001/018628 ; Publication Date: Mar. 15, 2001.
- U.S. Appl. No. 09/657,181, filed Sep. 7, 2000, entitled “Method and Device For Monitoring And Analyzing Signals”, published as 7,346,472 Mar. 18, 2008.
- U.S. Appl. No. 10/805,484, filed Mar. 22, 2004, entitled “Method And Device For Monitoring And Analyzing Signals”, published as 2004-0243540 A1 Dec. 2, 2004.
- U.S. Appl. No. 09/956,262, filed Sep. 20, 2001, entitled “Improved Security Based on Subliminal and Supraliminal Channels For Data Objects”, published as 2002-0056041 A1 May 9, 2002.
- U.S. Appl. No. 11/518,806, filed Sep. 11, 2006, entitled “Improved Security Based on Subliminal and Supraliminal Channels For Data Objects”, 2008-0028222 A1 Jan. 31, 2008.
- U.S. Appl. No. 11/026,234, filed Dec. 30, 2004, entitled “Z-Transform Implementation of Digital Watermarks”, published as 2005-0135615 A1 Jun. 23, 2005.
- U.S. Appl. No. 11/592,079, filed Nov. 2, 2006, entitled “Linear Predictive Coding Implementation of Digital Watermarks”, published as 2007-0079131 A1 Apr. 5, 2007.
- U.S. Appl. No. 09/731,039, filed Dec. 7, 2000, entitled “System and Methods for Permitting Open Access to Data Objects and for Securing Data within the Data Objects”, published as 2002-0071556 A1 Jun. 13, 2002.
- U.S. Appl. No. 11/647,861, filed Dec. 29, 2006, entitled “System and Methods for Permitting Open Access to Data Objects and for Securing Data within the Data Objects”, published as 2007-0110240 A1 May 17, 2007.
- Merriam-Webster’s Collegiate Dictionary, 10th Ed., Merriam Webster, Inc., p. 207.
- Van Schyndel, et al., “A digital Watermark,” IEEE Int’l Computer Processing Conference, Austin, TX, Nov. 13-16, 1994, pp. 86-90.
- Kutter, Martin et al., “Digital Signature of Color Images Using Amplitude Modulation”, SPIE-E197, vol. 3022, pp. 518-527.
- Tomsich, et al., “Towards a secure and de-centralized digital watermarking infrastructure for the protection of Intellectual Property”, in Electronic Commerce and Web Technologies, Proceedings (ECWEB)(2000).
- Kini, et al., “Trust in Electronic Commerce: Definition and Theoretical Considerations”, Proceedings of the 31st Hawaii Int’l Conf on System Sciences (Cat. No. 98TB100216). Jan. 6-9, 1998. pp. 51-61. Los.
- U.S. Appl. No. 60/169,274, filed Dec. 7, 1999, entitled “Systems, Methods And Devices For Trusted Transactions”.
- U.S. Appl. No. 60/234,199, filed Sep. 20, 2000, “Improved Security Based on Subliminal and Supraliminal Channels for Data Objects”.
- U.S. Appl. No. 09/671,739, filed Sep. 29, 2000, entitled “Method And Device For Monitoring And Analyzing Signals”.
- Tirkel, A.Z., “A Two-Dimensional Digital Watermark”, Scientific Technology, 686, 14, date unknown.
- PCT International Search Report in PCT/US95/08159.
- PCT International Search Report in PCT/US96/10257.
- PCT International Search Report in PCT/US97/00651.
- PCT International Search Report in PCT/US97/00652.
- PCT International Search Report in PCT/US97/11455.
- PCT International Search Report in PCT/US99/07262.
- PCT International Search Report in PCT/US00/06522.
- PCT International Search Report in PCT/US00/18411.
- PCT International Search Report in PCT/US00/33126.
- PCT International Search Report in PCT/US00/21189.
- Delaigle, J.-F., et al. “Digital Watermarking,” Proceedings of the SPIE, vol. 2659, Feb 1, 1996, pp. 99-110.
- U.S. Appl. No. 12/665,002, filed Dec. 22, 2009, entitled “Method for Combining Transfer Function with Predetermined Key Creation”, published as 20100182570 A1 Jul. 22, 2010, P76.
- U.S. Appl. No. 12/592,331, filed Nov. 23, 2009, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digital Data”, published as 20100077220 A1 Mar. 25, 2010, P77.

US 7,949,494 B2

Page 7

U.S. Appl. No. 12/590,553, filed Nov. 10, 2009, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digital Data”, published as 20100077219 A1 Mar. 25, 2010, P78.

U.S. Appl. No. 12/590,681, filed Nov. 12, 2009, entitled “Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digital Data”, published as 20100064140 A1 Mar. 11, 2010, P79.

U.S. Appl. No. 12/655,036, filed Dec. 22, 2009, entitled “Utilizing Data Reduction in Steganographic and Cryptographic Systems”, published as 20100153734 A1 Jun. 17, 2010, P80.

U.S. Appl. No. 12/655,357, filed Dec. 22, 2009, entitled “Method And Device For Monitoring And Analyzing Signals”, published as 20100106736 A1 Apr. 29, 2010, P81.

PCT Application No. PCT/US95/08159, filed Jun. 26, 1995, entitled, “Digital Information Commodities Exchange with Virtual Menuing”, published as WO/1997/001892; Publication Date: Jan. 16, 1997, F24.

PCT Application No. PCT/US96/10257, filed Jun. 7, 1996, entitled “Steganographic Method and Device”—corresponding to—EPO Application No. 96919405.9, entitled “Steganographic Method and Device”, published as WO/1996/042151; Publication Date: Dec. 27, 1996; F19.

PCT Application No. PCT/US97/00651, filed Jan. 16, 1997, entitled, “Method for Stega-Cipher Protection of Computer Code”, published as WO/1997/026732; Publication Date: Jul. 24, 1997.

PCT Application No. PCT/US97/00652, filed Jan. 17, 1997, entitled, “Method for an Encrypted Digital Watermark”, published as WO/1997/026733; Publication Date: Jul. 24, 1997.

PCT Application No. PCT/US97/11455, filed Jul. 2, 1997, entitled, “Optimization Methods for the Insertion, Protection and Detection of Digital Watermarks in Digitized Data”, published as WO/1998/002864; Publication Date: Jan. 22, 1998.

PCT Application No. PCT/US99/07262, filed Apr. 2, 1999, entitled, “Multiple Transform Utilization and Applications for Secure Digital Watermarking”, published as WO/1999/052271; Publication Date: Oct. 14, 1999.

PCT Application No. PCT/US00/06522, filed Mar. 14, 2000, entitled, “Utilizing Data Reduction in Steganographic and Cryptographic Systems”, published as WO/2000/057643; Publication Date: Sep. 28, 2000.

PCT Application No. PCT/US00/18411, filed Jul. 5, 2000, entitled, “Copy Protection of Digital Data Combining Steganographic and Cryptographic Techniques”.

PCT Application No. PCT/US00/33126, filed Dec. 7, 2000, entitled “Systems, Methods and Devices for Trusted Transactions”, published as WO/2001/043026; Publication Date: Jun. 14, 2001.

EPO Divisional Patent Application No. 07112420.0, entitled “Steganographic Method and Device” corresponding to PCT Application No. PCT/US96/10257, published as WO/1996/042151, Dec. 27, 1996.

U.S. Appl. No. 60/222,023, filed Jul. 31, 2007 entitled “Method and apparatus for recognizing sound and signals in high noise and distortion”.

U.S. Appl. No. 11/458,639, filed Jul. 19, 2006 entitled “Methods and Systems for Inserting Watermarks in Digital Signals”, published as 20060251291 A1 Nov. 9, 2006, P82.

“Techniques for Data Hiding in Audio Files,” by Morimoto, 1995. Howe, Dennis Jul. 13, 1998 <http://foldoc.org//steganography>.

CSG, Computer Support Group and CSGNetwork.com 1973 <http://www.csgnetwork.com/glossarys.html>.

QuinStreet Inc. 2010 What is steganography?—A word definition from the Webopedia Computer Dictionary <http://www.webopedia.com/terms/steganography.html>.

Graham, Robert Aug. 21, 2000 “Hacking Lexicon” <http://robertgraham.com/pubs/hacking-dict.html>.

Farkex, Inc 2010 “Steganography definition of steganography in the Free Online Encyclopedia” <http://encyclopedia2.thefreedictionary.com/steganography>.

Horowitz, et al., The Art of Electronics. 2nd Ed., 1989, pp. 7.

Jimmy eat world (“futures”), Interscope Records, Pre-Release CD image, 2004, 1 page.

Aerosmith (“Just Push Play”), Pre-Release CD image, 2001, 1 page.

Phil Collins(“Testify”) Atlantic, Pre-Release CD image, 2002, 1 page.

* cited by examiner

US 7,949,494 B2

1

**METHOD AND DEVICE FOR MONITORING
AND ANALYZING SIGNALS****CROSS-REFERENCE TO RELATED
APPLICATIONS**

This application is a continuation of pending U.S. application Ser. No. 12/005,229, which is a continuation of U.S. patent application Ser. No. 09/657,181, now U.S. Pat. No. 7,346,472. The previously identified patents and/or patent applications are hereby incorporated by reference, in their entireties, as if fully stated herein.

This application claims the benefit of pending U.S. patent application Ser. No. 08/999,766, filed Jul. 23, 1997, entitled "Steganographic Method and Device" (issued as U.S. Pat. No. 7,568,100); pending U.S. patent application Ser. No. 08/772,222, filed Dec. 20, 1996, entitled "Z-Transform Implementation of Digital Watermarks" (issued as U.S. Pat. No. 6,078,664); pending U.S. patent application Ser. No. 09/456,319, filed Dec. 8, 1999, entitled "Z-Transform Implementation of Digital Watermarks" (issued as U.S. Pat. No. 6,853,726); pending U.S. patent application Ser. No. 08/674,726, filed Jul. 2, 1996, entitled "Exchange Mechanisms for Digital Information Packages with Bandwidth Securitization, Multichannel Digital Watermarks, and Key Management" (issued as U.S. Pat. No. 7,362,775); pending U.S. patent application Ser. No. 09/545,589, filed Apr. 7, 2000, entitled "Method and System for Digital Watermarking" (issued as U.S. Pat. No. 7,007,166); pending U.S. patent application Ser. No. 09/046,627, filed Mar. 24, 1998, entitled "Method for Combining Transfer Function with Predetermined Key Creation" (issued as U.S. Pat. No. 6,598,162); pending U.S. patent application Ser. No. 09/053,628, filed Apr. 2, 1998, entitled "Multiple Transform Utilization and Application for Secure Digital Watermarking" (issued as U.S. Pat. No. 6,205,249); pending U.S. patent application Ser. No. 09/281,279, filed Mar. 30, 1999, entitled "Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digital Data" (issued as U.S. Pat. No. 6,522,767); U.S. patent application Ser. No. 09,594,719, filed Jun. 16, 2000, entitled "Utilizing Data Reduction in Steganographic and Cryptographic Systems" (which is a continuation-in-part of PCT application No. PCT/US00/06522, filed Mar. 14, 2000, which PCT application claimed priority to U.S. Provisional Application No. 60/125,990, filed Mar. 24, 1999) (issued as U.S. Pat. No. 7,123,718); pending U.S. Application No. 60/169,274, filed Dec. 7, 1999, entitled "Systems, Methods And Devices For Trusted Transactions" (issued as U.S. Pat. No. 7,159,116); and PCT Application No. PCT/US00/21189, filed Aug. 4, 2000 (which claims priority to U.S. patent application Ser. No. 60/147,134, filed Aug. 4, 1999, and to U.S. patent application No. 60/213,489, filed Jun. 23, 2000, both of which are entitled, "A Secure Personal Content Server") (issued as U.S. Pat. No. 7,475,246). The previously identified patents and/or patent applications are hereby incorporated by reference, in their entireties, as if fully stated herein.

In addition, this application hereby incorporates by reference, as if fully stated herein, the total disclosures of U.S. Pat. No. 5,613,004 "Steganographic Method and Device"; U.S. Pat. No. 5,745,569 "Method for Stega-Cipher Protection of Computer Code"; and U.S. Pat. No. 5,889,868 "Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digitized Data."

2

BACKGROUND OF THE INVENTION**1. Field of the Invention**

The invention relates to the monitoring and analysis of digital information. A method and device are described which relate to signal recognition to enhance identification and monitoring activities.

2. Description of the Related Art

Many methods and protocols are known for transmitting data in digital form for multimedia applications (including computer applications delivered over public networks such as the internet or World Wide Web ("WWW"). These methods may include protocols for the compression of data, such that it may more readily and quickly be delivered over limited bandwidth data lines. Among standard protocols for data compression of digital files may be mentioned the MPEG compression standards for audio and video digital compression, promulgated by the Moving Picture Experts Group. Numerous standard reference works and patents discuss such compression and transmission standards for digitized information.

Digital watermarks help to authenticate the content of digitized multimedia information, and can also discourage piracy. Because piracy is clearly a disincentive to the digital distribution of copyrighted content, establishment of responsibility for copies and derivative copies of such works is invaluable. In considering the various forms of multimedia content, whether "master," stereo, NTSC video, audio tape or compact disc, tolerance of quality will vary with individuals and affect the underlying commercial and aesthetic value of the content. It is desirable to tie copyrights, ownership rights, purchaser information or some combination of these and related data into the content in such a manner that the content must undergo damage, and therefore reduction of its value, with subsequent, unauthorized distribution, commercial or otherwise. Digital watermarks address many of these concerns. A general discussion of digital watermarking as it has been applied in the art may be found in U.S. Pat. No. 5,687,236 (whose specification is incorporated in whole herein by reference).

Further applications of basic digital watermarking functionality have also been developed. Examples of such applications are shown in U.S. Pat. No. 5,889,868 (whose specification is incorporated in whole herein by reference). Such applications have been drawn, for instance, to implementations of digital watermarks that were deemed most suited to particular transmissions, or particular distribution and storage mediums, given the nature of digitally sampled audio, video, and other multimedia works. There have also been developed techniques for adapting watermark application parameters to the individual characteristics of a given digital sample stream, and for implementation of digital watermarks that are feature-based—i.e., a system in which watermark information is not carried in individual samples, but is carried in the relationships between multiple samples, such as in a waveform shape. For instance, natural extensions may be added to digital watermarks that may also separate frequencies (color or audio), channels in 3D while utilizing discreteness in feature-based encoding only known to those with pseudo-random keys (i.e., cryptographic keys) or possibly tools to access such information, which may one day exist on a quantum level.

A matter of general weakness in digital watermark technology relates directly to the manner of implementation of the watermark. Many approaches to digital watermarking leave detection and decode control with the implementing party of the digital watermark, not the creator of the work to be pro-

US 7,949,494 B2

3

tected. This weakness removes proper economic incentives for improvement of the technology. One specific form of exploitation mostly regards efforts to obscure subsequent watermark detection. Others regard successful over encoding using the same watermarking process at a subsequent time. Yet another way to perform secure digital watermark implementation is through “key-based” approaches.

SUMMARY OF THE INVENTION

A method for monitoring and analyzing at least one signal is disclosed, which method comprises the steps of: receiving at least one reference signal to be monitored; creating an abstract of the at least one reference signal; storing the abstract of the at least one reference signal in a reference database; receiving at least one query signal to be analyzed; creating an abstract of the at least one query signal; and comparing the abstract of the at least one query signal to the abstract of the at least one reference signal to determine if the abstract of the at least one query signal matches the abstract of the at least one reference signal.

A method for monitoring a plurality of reference signals is also disclosed, which method comprises the steps of: creating an abstract for each one of a plurality of reference signals; storing each of the abstracts in a reference database; receiving at least one query signal to be analyzed; creating an abstract of each at least one query signal; locating an abstract in the reference database that matches the abstract of each at least one query signal; and recording the identify of the reference signal whose abstract matched the abstract of each at least one query signal.

A computerized system for monitoring and analyzing at least one signal is also disclosed, which system comprises: a processor for creating an abstract of a signal using selectable criteria; a first input for receiving at least one reference signal to be monitored, the first input being coupled to the processor such that the processor may generate an abstract for each reference signal input to the processor; a reference database, coupled to the processor, for storing abstracts of each at least one reference signal; a second input for receiving at least one query signal to be analyzed, the second input being coupled to the processor such that the processor may generate an abstract for each query signal; and a comparing device, coupled to the reference database and to the second input, for comparing an abstract of the at least one query signal to the abstracts stored in the reference database to determine if the abstract of the at least one query signal matches any of the stored abstracts.

Further, an electronic system for monitoring and analyzing at least one signal is disclosed, which system comprises: a first input for receiving at least one reference signal to be monitored, a first processor for creating an abstract of each reference signal input to the first processor through the first input; a second input for receiving at least one query signal to be analyzed, a second processor for creating an abstract of each query signal; a reference database for storing abstracts of each at least one reference signal; and a comparing device for comparing an abstract of the at least one query signal to the abstracts stored in the reference database to determine if the abstract of the at least one query signal matches any of the stored abstracts.

DETAILED DESCRIPTION OF THE INVENTION

While there are many approaches to data reduction that can be utilized, a primary concern is the ability to reduce the digital signal in such a manner as to retain a “perceptual relationship” between the original signal and its data reduced

4

version. This relationship may either be mathematically discernible or a result of market-dictated needs. The purpose is to afford a more consistent means for classifying signals than proprietary, related text-based approaches. A simple analogy is the way in which a forensic investigator uses a sketch artist to assist in determining the identity of a human.

In one embodiment of the invention, the abstract of a signal may be generated by the following steps: 1) analyze the characteristics of each signal in a group of audible/perceptible variations for the same signal (e.g., analyze each of five versions of the same song—which versions may have the same lyrics and music but which are sung by different artists); and 2) select those characteristics which achieve or remain relatively constant (or in other words, which have minimum variation) for each of the signals in the group. Optionally, the null case may be defined using those characteristics which are common to each member of the group of versions.

Lossless and lossy compression schemes are appropriate candidates for data reduction technologies, as are those subset of approaches that are based on perceptual models, such as AAC, MP3, TwinVQ, JPEG, GIF, MPEG, etc. Where spectral transforms fail to assist in greater data reduction of the signal, other signal characteristics can be identified as candidates for further data reduction. Linear predictive coding (LPC), z-transform analysis, root mean square (rms), signal to peak, may be appropriate tools to measure signal characteristics, but other approaches or combinations of signal characteristic analysis are contemplated. While such signal characteristics may assist in determining particular applications of the present invention, a generalized approach to signal recognition is necessary to optimize the deployment and use of the present invention.

Increasingly, valuable information is being created and stored in digital form. For example, music, photographs and motion pictures can all be stored and transmitted as a series of binary digits—1's and 0's. Digital techniques permit the original information to be duplicated repeatedly with perfect or near perfect accuracy, and each copy is perceived by viewers or listeners as indistinguishable from the original signal. Unfortunately, digital techniques also permit the information to be easily copied without the owner's permission. While digital representations of analog waveforms may be analyzed by perceptually-based or perceptually-limited analysis it is usually costly and time-consuming to model the processes of the highly effective ability of humans to identify and recognize a signal. In those applications where analog signals require analysis, the cost of digitizing the analog signal is minimal when compared to the benefits of increased accuracy and speed of signal analysis and monitoring when the processes contemplated by this invention are utilized.

The present invention relates to identification of digitally-sampled information, such as images, audio and video. Traditional methods of identification and monitoring of those signals do not rely on “perceptual quality,” but rather upon a separate and additional signal. Within this application, such signals will be called “additive signals” as they provide information about the original images, audio or video, but such information is in addition to the original signal. One traditional, text-based additive signal is title and author information. The title and author, for example, is information about a book, but it is in addition to the text of the book. If a book is being duplicated digitally, the title and author could provide one means of monitoring the number of times the text is being duplicated, for example, through an Internet download. The present invention, however, is directed to the identification of a digital signal—whether text, audio, or video—using only the digital signal itself and then monitoring the number of

US 7,949,494 B2

5

times the signal is duplicated. Reliance on an additive signal has many shortcomings. For example, first, someone must incorporate the additive signal within the digital data being transmitted, for example, by concatenation or through an embedding process. Such an additive signal, however, can be easily identified and removed by one who wants to utilize the original signal without paying for its usage. If the original signal itself is used to identify the content, an unauthorized user could not avoid payment of a royalty simply by removing the additive signal—because there is no additive signal to remove. Hence, the present invention avoids a major disadvantage of the prior art.

One such additive signal that may be utilized is a digital watermark—which ideally cannot be removed without perceptually altering the original signal. A watermark may also be used as a monitoring signal (for example, by encoding an identifier that uniquely identifies the original digital signal into which the identifier is being embedded). A digital watermark used for monitoring is also an additive signal, and such a signal may make it difficult for the user who wants to duplicate a signal without paying a royalty—mainly by degrading the perceptual quality of the original signal if the watermark (and hence the additive monitoring signal) is removed. This is, however, is a different solution to the problem.

The present invention eliminates the need of any additive monitoring signal because the present invention utilizes the underlying content signal as the identifier itself. Nevertheless, the watermark may increase the value of monitoring techniques by increasing the integrity of the embedded data and by indicating tampering of either the original content signal or the monitoring signal. Moreover, the design of a watermarking embedding algorithm is closely related to the perceptibility of noise in any given signal and can represent an ideal subset of the original signal: the watermark bits are an inverse of the signal to the extent that lossy compression schemes, which can be used, for instance, to optimize a watermarking embedding scheme, can yield information about the extent to which a data signal can be compressed while holding steadfast to the design requirement that the compressed signal maintain its perceptual relationship with the original, uncompressed signal. By describing those bits that are candidates for imperceptible embedding of watermark bits, further data reduction may be applied on the candidate watermarks as an example of retaining a logical and perceptible relationship with the original uncompressed signal.

Of course, the present invention may be used in conjunction with watermarking technology (including the use of keys to accomplish secure digital watermarking), but watermarking is not necessary to practice the present invention. Keys for watermarking may have many forms, including: descriptions of the original carrier file formatting, mapping of embedded data (actually imperceptible changes made to the carrier signal and referenced to the predetermined key or key pairs), assisting in establishing the watermark message data integrity (by incorporation of special one way functions in the watermark message data or key), etc. Discussions of these systems in the patents and pending patent applications are incorporated by reference above. The “recognition” of a particular signal or an instance of its transmission, and its monitoring are operations that may be optimized through the use of digital watermark analysis.

A practical difference between the two approaches of using a separate, additive monitoring signal and using the original signal itself as the monitoring signal is control. If a separate signal is used for monitoring, then the originator of the text, audio or video signal being transmitted and the entity doing

6

the monitoring have to agree as to the nature of the separate signal to be used for monitoring—otherwise, the entity doing the monitoring would not know where to look, for what to look, or how to interpret the monitoring signal once it was identified and detected. On the other hand, if the original signal is used itself as a monitoring signal, then no such agreement is necessary. Moreover, a more logical and self-sufficient relationship between the original and its data-reduced abstract enhances the transparency of any resulting monitoring efforts. The entity doing the monitoring is not looking for a separate, additive monitoring system, and further, need not have to interpret the content of the monitoring signal.

Monitoring implementations can be handled by robust watermark techniques (those techniques that are able to survive many signal manipulations but are not inherently “secure” for verification of a carrier signal absent a logically-related watermarking key) and forensic watermark techniques (which enable embedding of watermarks that are not able to survive perceptible alteration of the carrier signal and thus enable detection of tampering with the originally watermarked carrier signal). The techniques have obvious trade-offs between speed, performance and security of the embedded watermark data.

In other disclosures, we suggest improvements and implementations that relate to digital watermarks in particular and embedded signaling in general. A digital watermark may be used to “tag” content in a manner that is not humanly-perceptible, in order to ensure that the human perception of the signal quality is maintained. Watermarking, however, must inherently alter at least one data bit of the original signal to represent a minimal change from the original signal’s “unwatermarked state.” The changes may affect only a bit, at the very least, or be dependent on information hiding relating to signal characteristics, such as phase information, differences between digitized samples, root mean square (RMS) calculations, z-transform analysis, or similar signal characteristic category.

There are weaknesses in using digital watermark technology for monitoring purposes. One weakness relates directly to the way in which watermarks are implemented. Often, the persons responsible for encoding and decoding the digital watermark are not the creator of the valuable work to be protected. As such, the creator has no input on the placement of the monitoring signal within the valuable work being protected. Hence, if a user wishing to avoid payment of the royalty can find a way to decode or remove the watermark, or at least the monitoring signal embedded in the watermark, then the unauthorized user may successfully duplicate the signal with impunity. This could occur, for example, if either of the persons responsible for encoding or decoding were to have their security compromised such that the encoding or decoding algorithms were discovered by the unauthorized user.

With the present invention, no such disadvantages exist because the creator need not rely on anyone to insert a monitoring signal—as no such signal is necessary. Instead, the creator’s work itself is used as the monitoring signal. Accordingly, the value in the signal will have a strong relationship with its recognizability.

By way of improving methods for efficient monitoring as well as effective confirmation of the identity of a digitally-sampled signal, the present invention describes useful methods for using digital signal processing for benchmarking a novel basis for differencing signals with binary data comparisons. These techniques may be complemented with perceptual techniques, but are intended to leverage the generally

US 7,949,494 B2

7

decreasing cost of bandwidth and signal processing power in an age of increasing availability and exchange of digitized binary data.

So long as there exist computationally inexpensive ways of identifying an entire signal with some fractional representation or relationship with the original signal, or its perceptually observable representation, we envision methods for faster and more accurate auditing of signals as they are played, distributed or otherwise shared amongst providers (transmitters) and consumers (receivers). The ability to massively compress a signal to its essence—which is not strictly equivalent to “lossy” or “lossless” compression schemes or perceptual coding techniques, but designed to preserve some underlying “aesthetic quality” of the signal—represents a useful means for signal analysis in a wide variety of applications. The signal analysis, however, must maintain the ability to distinguish the perceptual quality of the signals being compared. For example, a method which analyzed a portion of a song by compressing it to a single line of lyrics fails to maintain the ability to distinguish the perceptual quality of the songs being compared. Specifically, for example, if the song “New York State of Mind” were compressed to the lyrics “I’m in a New York State of Mind,” such a compression fails to maintain the ability to distinguish between the various recorded versions of the song, say, for example between Billy Joel’s recording and Barbara Streisand’s recording. Such a method is, therefore, incapable of providing accurate monitoring of the artist’s recordings because it could not determine which of the two artists is deserving of a royalty—unless of course, there is a separate monitoring signal to provide the name of the artist or other information sufficient to distinguish the two versions. The present invention, however, aims to maintain some level of perceptual quality of the signals being compared and would deem such a compression to be excessive.

This analogy can be made clearer if it is understood that there are a large number of approaches to compressing a signal to, say, 1/10,000th of its original size, not for maintaining its signal quality to ensure computational ease for commercial quality distribution, but to assist in identification, analysis or monitoring of the signal. Most compression is either lossy or lossless and is designed with psychoacoustic or psychovisual parameters. That is to say, the signal is compressed to retain what is “humanly-perceptible.” As long as the compression successfully mimics human perception, data space may be saved when the compressed file is compared to the uncompressed or original file. While psychoacoustic and psychovisual compression has some relevance to the present invention, additional data reduction or massive compression is anticipated by the present invention. It is anticipated that the original signal may be compressed to create a realistic or self-similar representation of the original signal, so that the compressed signal can be referenced at a subsequent time as unique binary data that has computational relevance to the original signal. Depending on the application, general data reduction of the original signal can be as simple as massive compression or may relate to the watermark encoding envelope parameter (those bits which a watermarking encoding algorithm deem as candidate bits for mapping independent data or those bits deemed imperceptible to human senses but detectable to a watermark detection algorithm). In this manner, certain media which are commonly known by signal characteristics, a painting, a song, a TV commercial, a dialect, etc., may be analyzed more accurately, and perhaps, more efficiently than a text-based descriptor of the signal. So long as the sender and receiver agree that the data representation is accurate, even insofar as the data-reduction technique has logical relationships with the perceptibility of the original

8

signal, as they must with commonly agreed to text descriptors, no independent cataloging is necessary.

The present invention generally contemplates a signal recognition system that has at least five elements. The actual number of elements may vary depending on the number of domains in which a signal resides (for example, audio is at least one domain while visual carriers are at least two dimensional). The present invention contemplates that the number of elements will be sufficient to effectively and efficiently meet the demands of various classes of signal recognition. The design of the signal recognition that may be used with data reduction is better understood in the context of the general requirements of a pattern or signal recognition system.

The first element is the reference database, which contains information about a plurality of potential signals that will be monitored. In one form, the reference database would contain digital copies of original works of art as they are recorded by the various artists, for example, contain digital copies of all songs that will be played by a particular radio station. In another form, the reference database would contain not perfect digital copies of original works of art, but digital copies of abstracted works of art, for example, contain digital copies of all songs that have been preprocessed such that the copies represent the perceptual characteristics of the original songs. In another form, the reference database would contain digital copies of processed data files, which files represent works of art that have been preprocessed in such a fashion as to identify those perceptual differences that can differentiate one version of a work of art from another version of the same work of art, such as two or more versions of the same song, but by different artists. These examples have obvious application to visually communicated works such as images, trademarks or photographs, and video as well.

The second element is the object locator, which is able to segment a portion of a signal being monitored for analysis (i.e., the “monitored signal”). The segmented portion is also referred to as an “object.” As such, the signal being monitored may be thought of comprising a set of objects. A song recording, for example, can be thought of as having a multitude of objects. The objects need not be of uniform length, size, or content, but merely be a sample of the signal being monitored. Visually communicated informational signals have related objects; color and size are examples.

The third element is the feature selector, which is able to analyze a selected object and identify perceptual features of the object that can be used to uniquely describe the selected object. Ideally, the feature selector can identify all, or nearly all, of the perceptual qualities of the object that differentiate it from a similarly selected object of other signals. Simply, a feature selector has a direct relationship with the perceptibility of features commonly observed. Counterfeiting is an activity which specifically seeks out features to misrepresent the authenticity of any given object. Highly granular, and arguably successful, counterfeiting is typically sought for objects that are easily recognizable and valuable, for example, currency, stamps, and trademarked or copyrighted works and objects that have value to a body politic.

The fourth element is the comparing device which is able to compare the selected object using the features selected by the feature selector to the plurality of signals in the reference database to identify which of the signals matches the monitored signal. Depending upon how the information of the plurality of signals is stored in the reference database and depending upon the available computational capacity (e.g., speed and efficiency), the exact nature of the comparison will vary. For example, the comparing device may compare the selected object directly to the signal information stored in the

US 7,949,494 B2

9

database. Alternatively, the comparing device may need to process the signal information stored in the database using input from the feature selector and then compare the selected object to the processed signal information. Alternatively, the comparing device may need to process the selected object using input from the feature selector and then compare the processed selected object to the signal information. Alternatively, the comparing device may need to process the signal information stored in the database using input from the feature selector, process the selected object using input from the feature selector, and then compare the processed selected object to the processed signal information.

The fifth element is the recorder which records information about the number of times a given signal is analyzed and detected. The recorder may comprise a database which keeps track of the number of times a song, image, or a movie has been played, or may generate a serial output which can be subsequently processed to determine the total number of times various signals have been detected.

Other elements may be added to the system or incorporated into the five elements identified above. For example, an error handler may be incorporated into the comparing device. If the comparing device identifies multiple signals which appear to contain the object being sought for analysis or monitoring, the error handler may offer further processing in order to identify additional qualities or features in the selected object such that only one of the set of captured signals is found to contain the further analyzed selected object that actually conforms with the object thought to have been transmitted or distributed.

Moreover, one or more of the five identified elements may be implemented with software that runs on the same processor, or which uses multiple processors. In addition, the elements may incorporate dynamic approaches that utilize stochastic, heuristic, or experience-based adjustments to refine the signal analysis being conducted within the system, including, for example, the signal analyses being performed within the feature selector and the comparing device. This additional analyses may be viewed as filters that are designed to meet the expectations of accuracy or speed for any intended application.

Since maintenance of original signal quality is not required by the present invention, increased efficiencies in processing and identification of signals can be achieved. The present invention concerns itself with perceptible relationships only to the extent that efficiencies can be achieved both in accuracy and speed with enabling logical relationships between an original signal and its abstract.

The challenge is to maximize the ability to sufficiently compress a signal to both retain its relationship with the original signal while reducing the data overhead to enable more efficient analysis, archiving and monitoring of these signals. In some cases, data reduction alone will not suffice: the sender and receiver must agree to the accuracy of the recognition. In other cases, agreement will actually depend on a third party who authored or created the signal in question. A digitized signal may have parameters to assist in establishing more accurate identification, for example, a "signal abstract" which naturally, or by agreement with the creator, the copyright owner or other interested parties, can be used to describe the original signal. By utilizing less than the original signal, a computationally inexpensive means of identification can be used. As long as a realistic set of conditions can be arrived at governing the relationship between a signal and its data reduced abstract, increases in effective monitoring and transparency of information data flow across communications channels is likely to result. This feature is significant in that it represents an improvement over how a digitally-

10

sampled signal can be cataloged and identified, though the use of a means that is specifically selected based upon the strengths of a general computing device and the economic needs of a particular market for the digitized information data being monitored. The additional benefit is a more open means to uniformly catalog, analyze, and monitor signals. As well, such benefits can exist for third parties, who have a significant interest in the signal but are not the sender or receiver of said information.

10 As a general improvement over the art, the present invention incorporates what could best be described as "computer-acoustic" and "computer-visual" modeling, where the signal abstractions are created using data reduction techniques to determine the smallest amount of data, at least a single bit, which can represent and differentiate two digitized signal representations for a given predefined signal set. Each of such representations must have at least a one bit difference with all other members of the database to differentiate each such representation from the others in the database. The predefined signal set is the object being analyzed. The signal identifier/detector should receive its parameters from a database engine. The engine will identify those characteristics (for example, the differences) that can be used to distinguish one digital signal from all other digital signals that are stored in its collection. 15 For those digital signals or objects which are seemingly identical, except[ing] that the signal may have different performance or utilization in the newly created object, benefits over additive or text-based identifiers are achieved. Additionally, decisions regarding the success or failure of an accurate detection of any given object may be flexibly implemented or changed to reflect market-based demands of the engine. Appropriate examples are songs or works or art which have been sampled or reproduced by others who are not the original creator.

30 35 In some cases, the engine will also consider the NULL case for a generalized item not in its database, or perhaps in situations where data objects may have collisions. For some applications, the NULL case is not necessary, thus making the whole system faster. For instance, databases which have fewer repetitions of objects or those systems which are intended to recognize signals with time constraints or capture all data objects. Greater efficiency in processing a relational database can be obtained because the rules for comparison are selected for the maximum efficiency of the processing hardware and/or software, whether or not the processing is based on psychoacoustic or psychovisual models. The benefits of massive data reduction, flexibility in constructing appropriate signal recognition protocols and incorporation of cryptographic techniques to further add accuracy and confidence in the system are clearly improvements over the art. For example, where the data reduced abstract needs to have further uniqueness, a hash or signature may be required. And for objects which have further uniqueness requirements, two identical instances of the object could be made unique with 40 45 50 55 cryptographic techniques.

Accuracy in processing and identification may be increased by using one or more of the following fidelity evaluation functions:

1) RMS (root mean square). For example, a RMS function 60 may be used to assist in determining the distance between data based on mathematically determinable Euclidean distance between the beginning and end data points (bits) of a particular signal carrier.
2) Frequency weighted RMS. For example, different 65 weights may be applied to different frequency components of the carrier signal before using RMS. This selective weighting can assist in further distinguishing the distance between

US 7,949,494 B2

11

beginning and end points of the signal carrier (at a given point in time, described as bandwidth, or the number of total bits that can be transmitted per second) and may be considered to be the mathematical equivalent of passing a carrier signal difference through a data filter and figuring the average power in the output carrier.

3) Absolute error criteria, including particularly the NULL set (described above) The NULL may be utilized in two significant cases: First, in instances where the recognized, signal appears to be an identified object which is inaccurately attributed or identified to an object not handled by the database of objects; and second, where a collision of data occurs. For instance, if an artist releases a second performance of a previously recorded song, and the two performances are so similar that their differences are almost imperceptible, then the previously selected criteria may not be able to differentiate the two recordings. Hence, the database must be "recalibrated" to be able to differentiate these two versions. Similarly, if the system identifies not one, but two or more, matches for a particular search, then the database may need "recalibration" to further differentiate the two objects stored in the database.

4) Cognitive Identification. For example, the present invention may use an experience-based analysis within a recognition engine. Once such analysis may involve mathematically determining a spectral transform or its equivalent of the carrier signal. A spectral transform enables signal processing and should maintain, for certain applications, some cognitive or perceptual relationship with the original analog waveform. As a novel feature to the present invention, additional classes may be subject to humanly-perceptible observation. For instance, an experience-based criteria which relates particularly to the envisioned or perceived accuracy of the data information object as it is used or applied in a particular market, product, or implementation. This may include a short 3 second segment of a commercially available and recognizable song which is used for commercials to enable recognition of the good or service being marketed. The complete song is marketed as a separately valued object from the use of a discrete segment of the song (that may be used for promotion or marketing—for the complete song or for an entirely different good or service). To the extent that an owner of the song in question is able to further enable value through the licensing or agreement for use of a segment of the original signal, cognitive identification is a form of filtering to enable differentiations between different and intended uses of the same or subset of the same signal (object). The implementation relating specifically, as disclosed herein, to the predetermined identification or recognition means and/or any specified relationship with subsequent use of the identification means can be used to create a history as to how often a particular signal is misidentified, which history can then be used to optimize identification of that signal in the future. The difference between use of an excerpt of the song to promote a separate and distinct good or service and use of the excerpt to promote recognition of the song itself (for example, by the artist to sell copies of the song) relates informationally to a decision based on recognized and approved use of the song. Both the song and applications of the song in its entirety or as a subset are typically based on agreement by the creator and the sender who seeks to utilize the work. Trust in the means for identification, which can be weighted in the present invention (for example, by adjusting bit-addressable information), is an important factor in adjusting the monitoring or recognition features of the object or carrier signal, and by using any misidentification information, (including any experience-based or heuristic information), additional features of the

12

monitored signal can be used to improve the performance of the monitoring system envisioned herein. The issue of central concern with cognitive identification is a greater understanding of the parameters by which any given object is to be analyzed. To the extent that a creator chooses varying and separate application of his object, those applications having a cognitive difference in a signal recognition sense (e.g., the whole or an excerpt), the system contemplated herein includes rules for governing the application of bit-addressable information to increase the accuracy of the database.

5) Finally, the predetermined parameters that are associated with a discrete case for any given object will have a significant impact upon the ability to accurately process and identify the signals. For example, if a song is transmitted over a FM carrier, then one skilled in the art will appreciate that the FM signal has a predetermined bandwidth which is different from the bandwidth of the original recording, and different even from song when played on an AM carrier, and different yet from a song played using an 8-bit Internet broadcast. Recognition of these differences, however, will permit the selection of an identification means which can be optimized for monitoring a FM broadcasted signal. In other words, the discreteness intended by the sender is limited and directed by the fidelity of the transmission means. Objects may be cataloged and assessing with the understanding that all monitoring will occur using a specific transmission fidelity. For example, a database may be optimized with the understanding that only AM broadcast signals will be monitored. For 10 maximum efficiency, different data bases may be created for different transmission channels, e.g., AM broadcasts, FM broadcasts, Internet broadcasts, etc.

For more information on increasing efficiencies for information systems, see *The Mathematical Theory of Communication* (1948), by Shannon.

Because bandwidth (which in the digital domain is equated to the total number of bits that can be transmitted in a fixed period of time) is a limited resource which places limitations upon transmission capacity and information coding schemes, 15 the importance of monitoring for information objects transmitted over any given channel must take into consideration the nature and utilization of a given channel. The supply and demand of bandwidth will have a dramatic impact on the transmission, and ultimately, upon the decision to monitor and recognize signals. A discussion of this is found in an application by the inventor under U.S. patent application Ser. No. 08/674,726 (which issued Apr. 22, 2008 as U.S. Pat. No. 7,362,775) "Exchange Mechanisms for Digital Information Packages with Bandwidth Securitization, Multichannel Digital Watermarks, and Key Management" (which application is incorporated herein by reference as if fully set forth herein).

If a filter is to be used in connection with the recognition or monitoring engine, it may be desirable for the filter to anticipate and take into consideration the following factors, which 20 affect the economics of the transmission as they relate to triggers for payment and/or relate to events requiring audits of the objects which are being transmitted: 1) time of transmission (i.e., the point in time when the transmission occurred), including whether the transmission is of a live performance; 2) location of transmission (e.g., what channel was used for transmission, which usually determines the associated cost for usage of the transmission channel); 3) the point of origination of the transmission (which may be the same for a signal carrier over many distinct channels); and 4) pre-existence of 25 the information carrier signal (pre-recorded or newly created information carrier signal, which may require differentiation in certain markets or instances).

US 7,949,494 B2

13

In the case of predetermined carrier signals (those which have been recorded and stored for subsequent use), “positional information carrier signals” are contemplated by this invention, namely, perceptual differences between the seemingly “same” information carrier that can be recognized as consumers of information seek different versions or quality levels of the same carrier signal. Perceptual differences exist between a song and its reproduction from a CD, an AM radio, and an Internet broadcast. To the extent that the creator or consumer of the signal can define a difference in any of the four criteria above, means can be derived (and programmed for selectability) to recognize and distinguish these differences. It is, however, quite possible that the ability to monitor carrier signal transmission with these factors will increase the variety and richness of available carrier signals to existing communications channels. The differentiation between an absolute case for transmission of an object, which is a time dependent event, for instance a live or real time broadcast, versus the relative case, which is prerecorded or stored for transmission at a later point in time, creates recognizable differences for signal monitoring.

The monitoring and analysis contemplated by this invention may have a variety of purposes, including, for example, the following: to determine the number of times a song is broadcast on a particular radio broadcast or Internet site; to control security through a voice-activated security system; and to identify associations between a beginner’s drawing and those of great artists (for example to draw comparisons between technique, compositions, or color schemes). None of these examples could be achieved with any significant degree of accuracy using a text-based analysis. Additionally, strictly text-based systems fail to fully capture the inherent value of the data recognition or monitoring information itself.

SAMPLE EMBODIMENTS

Sample Embodiment 1

A database of audio signals (e.g., songs) is stored or maintained by a radio station or Internet streaming company, who may select a subset of the songs are stored so that the subset may be later broadcast to listeners. The subset, for example, may comprise a sufficient number of songs to fill 24 hours of music programming (between 300 or 500 songs). Traditionally, monitoring is accomplished by embedding some identifier into the signal, or affixing the identifier to the signal, for later analysis and determination of royalty payments. Most of the traditional analysis is performed by actual persons who use play lists and other statistical approximations of audio play, including for example, data obtained through the manual (i.e., by persons) monitoring of a statistically significant sample of stations and transmission times so that an extrapolation may be made to a larger number of comparable markets.

The present invention creates a second database from the first database, wherein each of the stored audio signals in the first database is data reduced in a manner that is not likely to reflect the human perceptual quality of the signal, meaning that a significantly data-reduced signal is not likely to be played back and recognized as the original signal. As a result of the data reduction, the size of the second database (as measured in digital terms) is much smaller than the size of the first database, and is determined by the rate of compression. If, for example, if 24 hours worth of audio signals are compressed at a 10,000:1 compression rate, the reduced data could occupy a little more than 1 megabyte of data. With such a large compression rate, the data to be compared and/or

14

analyzed may become computationally small such that computational speed and efficiency are significantly improved.

With greater compression rates, it is anticipated that similarity may exist between the data compressed abstractions of different analog signals (e.g., recordings by two different artists of the same song). The present invention contemplates the use of bit-addressable differences to distinguish between such cases. In applications where the data to be analyzed has higher value in some predetermined sense, cryptographic protocols, such as a hash or digital signature, can be used to distinguish such close cases.

In a preferred embodiment, the present invention may utilize a centralized database where copies of new recordings may be deposited to ensure that copyright owners, who authorize transmission or use of their recordings by others, can independently verify that the object is correctly monitored. The rules for the creator himself to enter his work would differ from a universally recognized number assigned by an independent authority (say, ISRC, ISBN for recordings and books respectively). Those skilled in the art of algorithmic information theory (AIT) can recognize that it is now possible to describe optimized use of binary data for content and functionality. The differences between objects must relate to decisions made by the user of the data, introducing subjective or cognitive decisions to the design of the contemplated invention as described above. To the extent that objects can have an optimized data size when compared with other objects for any given set of objects, the algorithms for data reduction would have predetermined flexibility directly related to computational efficiency and the set of objects to be monitored. The flexibility in having transparent determination of unique signal abstracts, as opposed to independent third party assignment, is likely to increase confidence in the monitoring effort by the owners of the original signals themselves. The prior art allows for no such transparency to the copyright creators.

Sample Embodiment 2

Another embodiment of the invention relates to visual images, which of course, involve at least two dimensions.

Similar to the goals of a psychoacoustic model, a psycho-visual model attempts to represent a visual image with less data, and yet preserve those perceptual qualities that permit a human to recognize the original visual image. Using the very same techniques described above in connection with an audio signal, signal monitoring of visual images may be implemented.

One such application for monitoring and analyzing visual images involves a desire to find works of other artists that relate to a particular theme. For example, finding paintings of sunsets or sunrises. A traditional approach might involve a textual search involving a database wherein the works of other artists have been described in writing. The present invention, however, involves the scanning of an image involving a sun, compressing the data to its essential characteristics (i.e., those perceptual characteristics related to the sun) and then finding matches in a database of other visual images (stored as compressed or even uncompressed data). By studying the work of other artists using such techniques, a novice, for example, could learn much by comparing the presentations of a common theme by different artists.

Another useful application involving this type of monitoring and analyzing is the identification of photographs of potential suspects whose identity matches the sketch of a police artist.

Note that combinations of the monitoring techniques discussed above can be used for audio-visual monitoring, such

US 7,949,494 B2

15

as video-transmission by a television station or cable station. The techniques would have to compensate, for example, for a cable station that is broadcasting a audio channel unaccompanied by video.

Other embodiments and uses of the invention will be apparent to those skilled in the art from consideration of the specification and practice of the invention disclosed herein. The specification and examples should be considered exemplary only with the true scope and spirit of the invention indicated by the following claims. As will be easily understood by those of ordinary skill in the art, variations and modifications of each of the disclosed embodiments can be easily made within the scope of this invention as defined by the following claims.

What is claimed:

1. A system for identifying at least one reference signal comprising:

a first input that receives at least one reference signal to be identified;

a first processor that creates an abstract of each reference signal input to said first processor through said first input wherein the abstract comprises signal characteristic parameters configured to differentiate between versions of said reference signal;

at least one reference database for storing at least one abstract;

a receiver that receives at least one query signal;

a second processor that creates an abstract of said query signal received by said receiver, based on the parameters; and

a comparing device that compares the created query signal abstract to the reference signal abstracts in the at least one database, each abstract in the at least one reference database corresponding to a version of a reference signal, to determine whether the query signal abstract matches any of the stored at least one abstract in the at least one reference database.

2. The system of claim 1, further comprising: a controller that enables authorized transmission or use of the corresponding version of the reference signal based on whether a match was determined by the comparing device.

3. The system of claim 1, wherein the reference database is created by at least one of a music company, a movie studio, an image archive, an owner of a general computing device, a user of the reference signal, an interne service provider, an information technology company, a body politic, a telecommunications company and combinations thereof.

4. The system of claim 1, wherein the reference signals comprise at least one of images, audio, video, and combinations thereof.

5. The system of claim 1, wherein the stored abstracts are derived from one of a cognitive feature or a perceptible characteristic of the associated reference signals.

6. The system of claim 1, furthering comprising a security controller to apply a cryptographic protocol to at least one created abstract, at least one database abstract or both at least one created abstract and at least one database abstract.

7. The system of claim 1, wherein each of the stored abstracts comprise information configured to differentiate variations of each referenced corresponding signal.

8. The system of claim 1, further comprising a storage medium for storing information associated with the comparing device to store information to enable at least one of a re-calibration of the database and a heuristic-based adjustment of the database.

9. The system of claim 1, further comprising a storage medium for storing information associated with the comparing device to store information to enable a computational

16

efficiency adjustment of the database, an adjustment for database collisions and/or null cases, a change to the recognition or use parameters governing the database and combinations thereof.

5 10. The system of claim 1, further comprising applying one of a relatedness index or measure of similarity to generate uniquely identifiable information to determine authorization by the comparing device.

11. A system for analyzing and identifying at least one reference signal, comprising: a first input for receiving at least one reference signal to be identified, a first processor for creating an abstract of each reference signal received based on perceptual characteristics representative of parameters to differentiate between versions of the reference signal; a reference database for storing abstracts of each reference signal received in a database; a second input for receiving at least one query signal to be identified, a second processor for creating an abstract of the received query signal based on the parameters; and a comparing device for comparing an abstract of said received query signal to the abstracts stored in the database to determine if the abstract of said received query signal is related to any of the stored abstracts.

12. The system of claim 11, wherein said database is independently accessible.

13. The system of claim 11, wherein said received query signal is independently stored.

14. The system of claim 11, wherein the parameters used by the comparing device to compare a received query signal abstract with a stored reference signal abstract are adjustable.

15. The system of claim 11, wherein the stored abstracts comprise a self-similar representation of at least one reference signal.

16. The system of claim 11, wherein at least two of the stored abstracts comprise information corresponding to two versions of at least one reference signal.

17. The system of claim 11, wherein at least one abstract comprises data describing a portion of the characteristics of its associated reference signal.

18. The system of claim 17, wherein the characteristics of the reference signal being described comprise at least one of a perceptible characteristic, a cognitive characteristic, a subjective characteristic, a perceptual quality, a recognizable characteristic or combinations thereof.

19. The system of claim 11, wherein a stored abstract comprises data unique to a variation of its corresponding reference signal.

20. The system of claim 11, wherein the system further comprises a security controller for applying a cryptographic protocol to the abstract of said reference signal, said query signal, or both said reference signal and said query signal.

21. The system of claim 20, wherein the cryptographic protocol is one of at least a hash or digital signature and further comprising storing the hashed abstract and/or digitally signed abstract in the reference database.

22. The system of claim 11, further comprising a transmitter for distributing at least one signal based on the comparison step.

23. The system of claim 22, further comprising a processor for applying a watermarking technique to the at least one signal to be distributed.

24. A system for identifying a plurality of reference signals comprising:

a first input that receives a plurality of reference signals to be identified;

a first processor that creates an abstract for each of the plurality of reference signals input to said first processor through said first input wherein the abstract comprises

US 7,949,494 B2

17

signal characteristic parameters configured to differentiate between versions of at least one reference signal; at least one reference database for storing the plurality of created abstracts; a receiver for receiving a query signal; a second processor that creates an abstract of said query signal received by said receiver, based on the parameters; and a comparing device that compares the created query signal abstract to the abstracts stored in the at least one database, to determine whether the query signal abstract matches any of the stored abstracts in the at least one reference database.

25. The system of claim 24, wherein the first and second processors are the same processor.

26. The system of claim 24, wherein the first and second processors are different processors.

27. A system for determining whether a query signal matches a reference signal, comprising:

a first processor configured to create a first version abstract of a first version of a reference signal input to said first processor;

wherein said first version abstract comprises signal characteristic parameters configured to differentiate said first version of said reference signal from a second version of said reference signal;

a reference database storing said first version abstract; 25 a device configured to determine whether said first version of said reference signal matches a query signal, by comparing a query signal abstract of said query signal to said first version abstract stored in said reference database.

28. A system for determining whether a query signal 30 matches a reference signal, comprising:

a first processor configured to create a first version abstract of a first version of a reference signal input to said first processor, wherein said first processor is configured to create said first version abstract from said first version of

18

said reference signal based upon perceptual characteristics of said first version of said reference signal, such that said first version abstract retains a perceptual relationship to said first version of said reference signal; a reference database storing said first version abstract; a second processor configured to create a query signal abstract from a query signal, wherein said second processor is configured to generate said query signal abstract from said query signal based upon perceptual characteristics of said query signal, such that said query signal abstract retains a perceptual relationship to said query signal; and

a device configured to determine whether a query signal matches said first version of said reference signal, by comparing, a query signal abstract that was generated based upon perceptual characteristics of said query signal, with said first version abstract stored in said reference database.

29. A system for determining whether a query signal 20 matches any of a plurality of reference signal, comprising:

a first processor configured to create a plurality of reference signal abstracts for each one of a plurality of reference signals, wherein each one of said plurality of reference signal abstracts comprises signal characteristic parameters configured to differentiate between other versions of that one of said plurality of reference signals; a reference database storing said plurality of reference signal abstracts;

a device configured to determine if a query signal matches any one plurality of reference signals by comparing a query signal abstract of said query signal with at least one abstract of said plurality of reference signal abstracts stored in said reference database.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,949,494 B2
APPLICATION NO. : 12/655357
DATED : May 24, 2011
INVENTOR(S) : Moskowitz

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 1 line 14 reading:

This application claims the benefit of pending U.S. patent

should read:

This application is related to pending U.S. patent

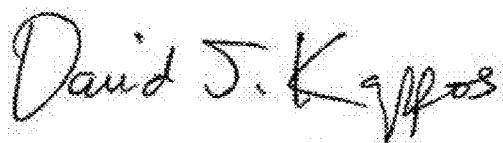
Column 15 line 44 reading:

of the reference signal, an interne service provider, an infor-

should read:

of the reference signal, an internet service provider, an infor-

Signed and Sealed this
Thirtieth Day of August, 2011



David J. Kappos
Director of the United States Patent and Trademark Office